IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.52741 of 2007
HARENDRA RAUT
Versus
THE STATE OF BIHAR
---

4 13.5.2008 Heard.

This is a case under Section 302/34 of the IPC.

Learned counsel for the petitioner submitted that a bare perusal of the FIR would show that the informant is not the eye witness and the entire case diary would also show that none has seen the petitioner assaulting the mother of the informant. The court below has mentioned several paragraphs of the case diary, but in those paragraphs also no one has stated that they saw the petitioner assaulting the deceased causing her death.

Considering the above submissions, petitioner Harendra Raut is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Muzaffarpur (West) in Kanti P.S. Case No. 16 of 2007.

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DKS/ **(Rekha Kumari, J)**